



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2016

CORAM:

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.13779 of 2016

WEB COPY

C.Velladurai

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to accord permission for conducting Innisai Katcheri (Musical Concert) and Karakattam, which is scheduled to be taken place on 05.08.2016 starting at 10.00 p.m. to 02.00 a.m. In connection with the temple festival of Sriman Ooikkattu Sudalai Andavar Temple, situated at Sri Ragunathapuram, Radhapuram Taluk, Tirunelveli District by considering the petitioner's representation dated 23.07.2016.

For Petitioner : Mr.A.Kesavan
For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader.

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to give permission and protection to conduct **Innisai Katcheri (Musical Concert)** and **Karakattam** from 10.00 p.m. on 05.08.2016 to 02.00 a.m. on 06.08.2016, in connection with Kodai Vizha of Sriman Ooikkattu Sudalai Andavar Temple, Sri Ragunathapuram, Radhapuram Taluk, Tirunelveli District, by considering the petitioner's representation dated 23.07.2016.

2.Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers



regularly in order to promote harmony during the above said festival period; that a representation was given to the 2nd respondent, but, however, the same was not considered by the 2nd respondent so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5.The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

6.Accordingly, in view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with the direction to the 2nd respondent police to accord permission to the petitioner to conduct **Innisai Katcheri (Musical Concert)** and **Karakattam** from 10.00 p.m. on 05.08.2016 to 02.00 a.m. on 06.08.2016, in connection with Kodai Vizha of Sriman Ooikkattu Sudalai Andavar Temple, situated at Sri Ragunathapuram, Radhapuram Taluk, Tirunelveli District, by incorporating the following conditions:

(a) Songs / vulgar dialogues should be avoided during the programme;

(b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

(c) Songs, touching upon the conduct of any political party or community or caste be played;

(d) No flex boards in support of any political party or religious leader be erected;

(e) The programme shall be conducted without showing any discrimination based on caste / community etc., and it shall be ensured that it is towards promoting communal harmony;

(f) the participants of the programme shall not intake any kind of intoxicating substance or liquor during the programme;

(g) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;

(h) If there is any violation of any of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance.

Sd/

Assistant Registrar(Records)

/TRUE COPY/



To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.A.Kesavan, Advocate in SR.No.41478

+1cc to Special Government Pleader in SR.No.41547

ORDER MADE IN
W.P (MD) No.13779 of 2016
03.08.2016

gcg

PA/AAL-MPA/SAR III/04.08.2016/3P/6C(IT)